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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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David Gok Louie

M-11978 US

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01/03/2007

CSA LLP

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EXAMINER

WON, MICHAEL YOUNG

ART UNIT

PAPER NUMBER

2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/963,292

Applicant(s)

LOUIE ET AL.

Examiner

Michael Y. Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed October 30, 2006.
2. Claims 1, 12-14, 24, and 34 have been amended.
3. Claims 1-37 have been examined and are pending with this action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10, 12, 14-21, 24-32, 34, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) in view of Noguchi et al. (US 5,812,981 A).

INDEPENDENT:

As per **claim 1**, Tajalli teaches an apparatus comprising:

an application program comprising one or more components (see col.1, lines 52-54 & 65-68; and col.6, lines 5-8: "operating system kernel and of any selected operating system programs, application programs..."),

means for selecting a component to be audited from the one or more components (see col.15, lines 3-7: "collects and makes available to the administrator 126 information about the activities of application program 514"),

means for selecting one or more selected operations on the component to be audited (see col.15, lines 15-col.16, line 9: "user activity auditing, tracks operating system requests made by ordinary users 126 and application programs 514... login attempts, file accesses and execution of programs"; "System activity information includes... statistics on the number of processes running..."), and

means for creating an audit trail for the application program (see col.7, lines 1-3: "generates audit logs from the information"), wherein a business component comprises one of a table or record comprising information associated with an entity (see col.1, lines 36-41: "For example, a business might want to protect inventory records from unauthorized modifications").

Tajalli does not explicitly teach of a business component of an application program.

Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Tajalli in view of Noguchi to implement business component of an application program. One would be motivated to do so because Tajalli teaches that his system is generally related to reliably auditing computer usage in many organizations (see col.1, lines 16-20 & 24-27).

As per **claim 14**, Tajalli teaches a system comprising:

a processor (see Fig.1, #112);

a memory coupled to the processor (see Fig.1, #110, #118 & #119) and configured to store a first set of instructions, executable by the processor (see col.9, lines 28-30), configured to provide a component (see col.1, lines 52-54 & 65-68; and col.6, lines 5-8: "operating system kernel and of any selected operating system programs, application programs...") comprising one or more fields (see col.1, line 37: "inventory record"),

a second set of instructions, executable by the processor, configured to allow selection of a selected field of the one or more fields and one or more selected operations to be audited on the selected fields (see col.15, lines 15-col.16, line 9: "user activity auditing, tracks operating system requests made by ordinary users 126 and application programs 514... login attempts, file accesses and execution of programs"; "System activity information includes... statistics on the number of processes running..."),

a third set of instructions, executable by the processor, configured to detect when the selected operations are performed on the selected fields (see col.15, lines 3-7: "collects and makes available"), and

a fourth set of instructions, executable by the processor, to generate an audit transaction record regarding the selected field when the selected operations are detected (see col.7, lines 1-3: "generates audit logs from the information").

Tajalli does not explicitly teach of providing a user interface for selection.

Noguchi teaches of a user interface for selection (see col.6, lines 52-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Tajalli in view of Noguchi to implement a user interface for selection. One would be motivated to do so because Tajalli teaches that the administrator specifies the auditing configuration data, which is used by the system to collect audit information (see col.6, lines 67-col.7, line 3).

Tajalli does not explicitly teach of a business component of an application program.

Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Tajalli in view of Noguchi to implement business component of an application program. One would be motivated to do so because Tajalli teaches that his system is generally related to reliably auditing computer usage in many organizations (see col.1, lines 16-20 & 24-27).

As per **claim 24**, Tajalli teaches a method comprising:

auditing an application program (see col.15, lines 3-7: "collects and makes available to the administrator 126 information about the activities of application program 514") wherein said auditing comprises creating an audit trail (see col.7, lines 1-3: "generates audit log");

using the application program to perform audit trail functions (see col.6, lines 63-65: "Assured Audit (AA) system" and col.15, lines 16-20: "audits activities of all application programs 514 and ordinary users 128") comprising:

generating a list of components included in the application program (see col.15, lines 3-7 & 17-18: "audits activities of all application programs" and col.16, lines 16-24);

presenting the list of components to a user (see col.15, lines 3-7: "collects and makes available to the administrator 126 information about the activities of application program 514");

allowing the user to select a selected component to be audited (see col.6, line 67-col.7, line 1: "administrator specifies the nature of the audits");

presenting the list of operations that can be performed on the selected component to the user (see col.15, lines 3-7: "collects and makes available to the administrator 126 information about the activities of application program 514"); and

allowing the user to select one or more selected operations to be audited for the selected component (see col.6, line 67-col.7, line 1: "administrator specifies the nature of the audits").

Tajalli does not explicitly teach of a business component of an application program.

Noguchi teaches of a business component of an application program (see Fig.1 and col.4, lines 25-40).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Tajalli in view of Noguchi to implement

business component of an application program. One would be motivated to do so because Tajalli teaches that his system is generally related to reliably auditing computer usage in many organizations (see col.1, lines 16-20 & 24-27).

DEPENDENT:

As per **claim 2**, which depend on claim 1, Tajalli further teaches wherein the application program further comprises: means for detecting when the selected operations are performed (see col.18, lines 45-50).

As per **claim 3**, which depend on claim 2, Tajalli further teaches wherein the application program further comprises: means for generating an audit transaction record regarding the business component when the selected operations are detected (see col.7, lines 1-3 and col.16, lines 30-36).

As per **claim 4, 15, and 25**, which depend on claims 1, 14, and 24, respectively, Tajalli further teaches wherein the selected or list of operations to be audited include at least one of: update, add, copy, and delete (see col.10, lines 7-13).

As per **claim 5, 16, and 26**, which depend on claims 1, 14, and 24, respectively, Tajalli teaches of further comprising means for allowing the user to restrict access to the audit trail by at least one of: an employee identifier, an employment position, and an area of responsibility (see col.15, line 66 to col.16, line 1).

As per **claim 6, 17, and 28**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for storing the audit transaction record in an external database (see Fig.1 and Fig.3, #118).

As per **claims 7, 18, and 29**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for storing the audit transaction record in a file (see Fig.1, #119).

As per **claims 8, 19, and 30**, which depend on claims 7, 18, and 29, respectively, Tajalli teaches of further comprising means for importing the audit transaction record stored in the file to a database (see col.16, lines 44-46).

As per **claims 9, 20, and 31**, which depend on claims 3, 14, and 27, respectively, Tajalli further teaches wherein the audit transaction record includes at least one of: an identifier for the entity that accessed the business component or the field, the operation that was performed on the business component, when the operation was performed, a previous value of the field, a current value of the field, and how the value of at least a portion of the business component was changed (see col.16, lines 16-24; "identity of any "objects" accessed").

As per **claims 10, 21, and 32**, which depend on claims 3, 14, and 27, respectively, Tajalli teaches of further comprising means for allowing the user to query one or more of the audit transaction records (implicit: see col.17, lines 14-15).

As per **claims 12 and 34**, which depend on claims 1 and 24, respectively, Tajalli and Noguchi further teaches wherein the one or more selected business components comprise one or more fields, and further comprising: means for selecting the one or more fields to be audited; and means for generating an audit transaction record when one of the selected operations on one of the selected fields is detected (see claim 14 rejection above).

As per **claim 27**, which depend on claim 24, Tajalli teaches of further comprising: detecting when the selected operations are performed on one of the selected business components; and generating an audit transaction record when the selected operations are detected (see claim 2 and 3 rejections above).

As per **claim 36**, which depend on claim 24, Tajalli and Noguchi further teach of a computer program product comprising: instructions for implementing the method of claim 24 (see Tajalli: col.15, lines 48-52).

As per **claim 37**, which depend on claim 24, Tajalli and Noguchi further teach of a data signal comprising: instructions for implementing the method of claim 24 (implicit: see Tajalli: col.15, lines 48-52; col.17, line 6).

5. Claims 11, 23, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) and Noguchi et al. (US 5,812,981 A), further in view of Darnell et al. (US 5,596,700 A).

As per **claims 11, 23, and 33**, which depend on claim 2, 14, and 27, respectively, Tajalli and Noguchi do not explicitly teach of further comprising means for prompting the user to enter a comment or a description of the operation when the selected operations are detected.

Darnell teaches of prompting the user to enter a comment or a description of the operation when the selected operations are detected (see col.3, lines 19-24 and col.11, lines 30-31).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of within the system of Tajalli and Noguchi by implementing prompting the user to enter a comment or a description of the operation when the selected operations are detected within the apparatus of creating an audit trail for an application program because such an implementation provide numerous benefits similar to the functionality of writing notes on paper (see Darnell: col.1, lines 42-44), notepads or sticky pads (i.e., for reminders or sharing information with others).

6. Claims 13, 22, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajalli et al. (US 5,361,359 A) and Noguchi et al. (US 5,812,981 A), further in view of Smaha et al. (US 5,557,742 A).

As per **claims 13, 22 and 35**, which depend on claims 1, 14, and 34, respectively, Tajalli and Noguchi do not explicitly teach of further comprising means for allowing the user to restore the one or more of the fields to a previous state or value.

Smaha teaches of allowing the user to restore the one or more of the fields to a previous state or value (see col.9, lines 49-55).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Smaha within the system of Tajalli and Noguchi by implementing restoring the one or more of the fields to a previous state or value within the apparatus, system and method for creating an audit trail for an

application program in an information system because such functionality allows the system to go back to the state prior to a "misuse".

Response to Arguments

5. Applicant's arguments filed October 30, 2006 have been fully considered but they are not persuasive.

Applicant(s) assert that neither references, Tajalli nor Noguchi, teach of a "business component" because the amended claim language states, "wherein a business component comprises one of a table or record comprising information associated with an entity". According to the specification "a business component 108 is a table, or record, of information for an item, person, or other entity..." (see specification, page 9, lines 27-28). Some examples are bank account information, sales opportunities or leads, and service representatives in customer service center (see specification, page 9, lines 30-34). In general a business component is some record, or table (i.e. data) pertaining to a business entity. Tajalli explicitly teaches this limitation.

Tajalli teaches of auditing computer usage applicable in protecting inventory records of a business entity (see col.1, lines 36-38). Tajalli further teaches that the system can be applied in all environments wherein security is a concern (see col.1, lines 24-34). A data comprising a table or record is clearly subjective and not a novel feature of the invention. The applicant(s) are earnestly suggested to amend the claim language to incorporate inventive functional elements.

The applicant(s) argue that there is no support for combining Noguchi's business component to Tajalli's system because Tajalli's components are hardware and Noguchi's components are software.

To better clarify the assertion, reference to col.10, lines 30-34, cited in the previous office action has been removed and additional reference locations have been provided. Based on the clarification, both Tajalli and Noguchi teach of a software component. It is clear that the components of the application program are merely stored data that includes a record or table and such limit is explicitly taught throughout the cited reference. Furthermore, although it is clearly taught and suggested, one of ordinary skill in the art knows that any data or component is associated with a particular application program and needs that application program to render that data or perform some action to the data.

Additionally, the applicant(s) argue that the examiner is combining two distinct embodiments because the examiner cites a feature in one embodiment and other features in another embodiment.

In response, it is noted that reference to col.10, lines 30-34, cited in the previous office action has been removed and additional reference locations have been provided. Furthermore, Tajalli teaches that the embodiments are primary the same (see col.15, lines 9-14) except wherein the AA system includes additional features (obvious improvement thereof).

The applicant(s) argue that neither Tajalli nor Noguchi teaches "means for selecting a component to be audited".

This limitation is explicitly taught in col.6, line 67 to col.7, line 3. Tajalli teaches that the administrator specifies the audit configuration data, which in turn specifies the AA system to collect specific audit information.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Tajalli clearly teaches that the system overcomes the prior art in a business or government agency environment.

During patent examination, the pending claims must be given their broadest reasonable interpretation consistent with the specification. See *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Furthermore, while the claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allow. See *In re American Academy of Science Tech Center*, F.3d 2004 WL 1067528 (Fed. Cir. May 13, 2004).

Applicant(s) are earnestly suggested to particularly point out and distinctly claim the subject matter that the applicant(s) regard as the invention to expedite prosecution.

Conclusion

6. For the reason above claims 1-37 have been rejected and remain pending.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

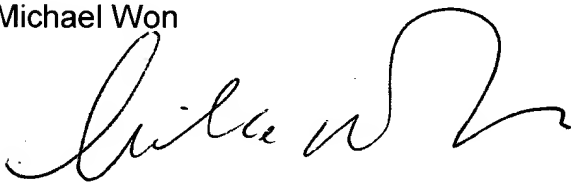
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Won



December 15, 2006

Philip Tran
PRIMARY EXAMINER